

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAVIER FLORES-ALDAPE,

Plaintiff/Petitioner,

Case No. 15-cv-13286

Hon. Matthew F. Leitman

v.

FATIN SHAWKI KAMASH,

Defendant/Respondent.

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**ORDER DISMISSING PETITION (ECF #1) WITHOUT PREJUDICE**

Plaintiff Javier Flores-Aldape (“Flores-Aldape”) has filed a Verified Petition for Return of Child to Plaintiff Petitioner in Mexico (the “Petition”). (*See* ECF #1.) Flores-Aldape seeks relief under the Hague Convention on the Civil Aspects of International Child Abduction, Oct. 25, 1980, 19 I.L.M. 1501, as implemented by the International Child Abduction Remedies Act, 42 U.S.C. §§ 11601–11610.

Under 22 U.S.C. § 9003(b), this Court may exercise jurisdiction over the Petition only if this judicial district is “the place where the child [was] located at the time the petition [was] filed.” At a hearing before the Court on October 2, 2015, Flores-Aldape’s counsel candidly acknowledged on the record that he did not have evidence to establish that the child was located in this district when the

Petition was filed. Accordingly, for the reasons stated on the record, the Petition is  
**DISMISSED WITHOUT PREJUDICE.**

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: October 5, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 5, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(313) 234-5113